

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ELVIS DIAZ REYES
DEBTOR

CASE NO. 15-04784-MCF

CHAPTER 13

**NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

NOW COMES, ELVIS DIAZ REYES, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays:

1. The debtor is hereby submitting a proposed amended Plan, dated September 17, 2015, herewith and attached to this motion.
2. This proposed amended Plan is filed to cure the "insufficiently funded" issue raised by the Trustee in his unfavorable recommendation, docket #15.

WHEREFORE debtor respectfully requests the confirmation of the requested amended Plan, dated September 17, 2015.

I CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor and to all creditors and interested parties appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 17th day of September, 2015.

/s/ Roberto Figueroa Carrasquillo
ROBERTO FIGUEROA CARRASQUILLO
USDC #203614
ATTORNEY FOR PETITIONER
PO BOX 186 CAGUAS PR 00726
TEL. NO. (787) 744-7699

United States Bankruptcy Court
District of Puerto Rico

IN RE:

DIAZ REYES, ELVIS

Debtor(s)

Case No. 3:15-bk-4784

Chapter 13

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee directly by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION	<input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>9/17/2015</u> Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other
I. PAYMENT PLAN SCHEDULE	
\$ <u>250.00</u> x <u>2</u> = \$ <u>500.00</u>	
\$ <u>300.00</u> x <u>10</u> = \$ <u>3,000.00</u>	
\$ <u>407.00</u> x <u>48</u> = \$ <u>19,536.00</u>	
\$ _____ x _____ = \$ _____	
\$ _____ x _____ = \$ _____	
TOTAL: \$ <u>23,036.00</u>	
Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from:	
<input type="checkbox"/> Sale of Property identified as follows: _____	
<input type="checkbox"/> Other: _____	
Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____	
PROPOSED BASE: \$ <u>23,036.00</u>	
III. ATTORNEY'S FEES (Treated as § 507 Priorities)	
Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,868.00</u>	
Signed:  Debtor	
Joint Debtor	
II. DISBURSEMENT SCHEDULE	
A. ADEQUATE PROTECTION PAYMENTS OR \$ _____	
B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:	
1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. <u>Banco Popular De Pi</u> Cr. _____ Cr. _____ # <u>Claim 5-1</u> # _____ # _____ \$ <u>8,174.66</u> \$ _____ \$ _____	
2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. <u>Crim</u> Cr. _____ Cr. _____ # <u>1168140</u> # _____ # _____ \$ <u>5,125.59</u> \$ _____ \$ _____	
3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____	
4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: <u>Oriental Bank And T</u>	
5. <input type="checkbox"/> Other:	
6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>Banco Popular De Pi</u>	
C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)	
D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.	
1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____	
2. Unsecured Claims otherwise receive PRO-RATA disbursements.	
OTHER PROVISIONS: (Executive contracts; payment of interest to unsecureds, etc.) * "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds." ASUME: child support arrears (\$3,868.00.) will be paid through the Trustee. Debtor to continue making current direct post-petition payments to ASUME.	

IN RE DIAZ REYES, ELVIS

Case No. 3:15-bk-4784

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 1 of 1

Executory Contracts - Assumed:

Felix J Romero Fonta

Cr

#

\$

Label Matrix for local noticing

0104-3

Case 15-04784-MCF13

District of Puerto Rico

Old San Juan

Thu Sep 17 15:44:01 AST 2015

(p)ORIENTAL BANK AND TRUST

PO BOX 195115

SAN JUAN PR 00919-5115

BANCO POPULAR DE PUERTO RICO
C/O SERGIO A. RAMIREZ DE ARELLANO LAW OF
BANCO POPULAR CENTER, SUITE 1022
209 MUNOZ RIVERA AVE.
SAN JUAN, PR 00918-1000

BANCO SANTANDER DE PR
PO BOX 362589
SAN JUAN, PR 00936-2589

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

ASUME
PO Box 11218
San Juan, PR 00910-2318

BANCO POPULAR DE PUERTO RICO
PO BOX 362708
SAN JUAN, PR 00936-2708

BANCO SANTANDER PUERTO RICO
QUIEBRAS
PO BOX 362589
SAN JUAN PR 00936-2589

Banco Popular De Puerto Rico
PO Box 2708
San Juan, PR 00936

Banco Santander Puerto Rico
8875 Aero Dr
San Diego, CA 92123-2251

Bufete Juan H Soto Sola
Civil Num: ECD2015-0585
420 Ave Ponce De Leon Ste 705
San Juan, PR 00918-3407

Citibank N.a.
8875 Aero Dr
San Diego, CA 92123-2251

Crim
PO Box 195387
San Juan, PR 00919-5387

Dept De Transportacion Y Obras Publicas
PO Box 41269
San Juan, PR 00940-1269

Dish Network
4500 Salisbury Rd Ste 10
Jacksonville, FL 32216-0959

Felix J Romero Fontanez
Urb Lomas Del Sol 150 Orion St
Gurabo, PR 00778

Ge Capital Retail Bank
8875 Aero Dr
San Diego, CA 92123-2251

Midland Credit Management, Inc as agent for
Midland Funding LLC
PO Box 2011
Warren, MI 48090-2011

Midland Funding
8875 Aero Dr
San Diego, CA 92123-2255

ORIENTAL BANK
ANGEL M. VAZQUEZ BAUZA
PO BOX 195115
SAN JUAN PR. 00919-5115

Oriental Bank And Trus
PO Box 4745
San Juan, PR 00936

Preferred Home Services Inc
PO Box 4069
Bayamon, PR 00958-1069

Sears/cbna
PO Box 6282
Sioux Falls, SD 57117-6282

Stellar Recovery Inc
4500 Salisbury Rd Ste 10
Jacksonville, FL 32216-8035

Synch/Pep Boys
PO Box 965036
Orlando, FL 32896-5036

T-mobile
12920 Se 38th Stre
Bellevue, WA 98006-7305

Td Rcs/Advance Auto
1000 Macarthur Blvd
Mahwah, NJ 07430-2035

ELVIS DIAZ REYES
HC 1 BOX 5574
GURABO, PR 00778-9526

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

MONSITA LECAROZ ARIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

ROBERTO FIGUEROA CARRASQUILLO
PO BOX 186
CAGUAS, PR 00726-0186

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

ORIENTAL BANK
ENRIQUE NASSAR RIZEK & ASSOCIATES
PO BOX 191017
SAN JUAN, PR 00919

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) ASUME-ANNIELISAURY FERNANDEZ BERRIOS PO B	End of Label Matrix
	Mailable recipients 30
	Bypassed recipients 1
	Total 31